

10/018623
Rec'd PCT/PIO 18 DEC 2001

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December 18, 2001

BOX PCT

Honorable Commissioner of
Patents and Trademarks
P.O. Box 2327
Arlington, VA 22202

SMALL ENTITY

PCT/EP00/05631
- filed 19 June 2000

, Re: Application of Eberhard FRITZ and Gerd PHILLIPPS
"RADIATION SOURCE FOR ENDOVASCULAR RADIATION TREATMENT"
Our Ref.: 3993.003

Dear Sir:

The following documents and fees are submitted herewith in connection with the above application for the purpose of entering the National stage under 35 U.S.C. §371 and in accordance with Chapter II of the Patent Cooperation Treaty:

- this express request to immediately begin national examination procedures (35 U.S.C. 371(f)).
- an executed Declaration and Power of Attorney.
- a English Language International Application with European Search Report
- an English (translation of the) International Application.
- an English (translation of) Article 19 claim amendments.
- English translation of Article 34 amendments (annexes to the IPER) and German language IPER.
- an executed Assignment and PTO 1595 form.
- Two (2) Sheets of Formal Drawings
- Preliminary Amendment.

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December 18, 2001
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It is assumed that copies of the International Application, the International Search Report, the International Preliminary Examination Report, and any Articles 19 and 34 amendments as required by §371(c) will be supplied directly by the International Bureau, but if further copies are needed, the undersigned can easily provide them upon request.

The Government filing fee is calculated as follows:

Total claims	<u>26</u>	-	<u>20</u>	=	<u>6</u>	x \$ 9 =	\$ 54.00
Independent Claims	<u>3</u>	-	<u>3</u>	=	<u> </u>	x \$ 84 =	\$
Base Fee							\$ 445.00*
Declaration Late Filing Fee.....							\$ 65.00
TOTAL FILING FEE							\$564.00

* A copy of the European Search Report is attached.

A check for the statutory filing fee of \$564.00 is attached. Please charge or credit any difference or overpayment to Deposit Account No. 16-0877. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §1.492 which may be required during the entire pendency of the application to said Account.

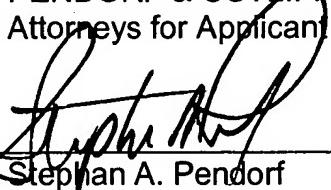
Assertion is hereby made that the inventors qualify as independent inventors as defined in 37 C.F.R. §1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the U.S. Patent and Trademark Office with regard to the invention entitled "RADIATION SOURCE FOR ENDOVASCULAR RADIATION TREATMENT", described in the specification filed herewith.

Priority is claimed from June 18, 1999, based on European Application No. 99111100.6.

Respectfully submitted,

PENDORF & CUTLIFF
Attorneys for Applicant

By


Stephan A. Pendorf
Registration No. 32,665

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December 18, 2001

Margaret A. Connor
Patent Advisor
USDA, ARS, OTT
800 Buchanan Street
Albany, CA 94710

Your Ref.: 08/166,779
Our Ref.: A700.312

Re: **First Office Action**
Australian Patent Application No. 11886/99
"METHOD FOR DETECTION OF PRION PROTEIN AS INDICATION OF THE TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES"
Instructions by: January 30, 2002

Dear Ms. Connor:

Thank you for your e-mail of December 17, 2001, including your comments to our letter of November 16, 2001.

We reviewed your comments and also forwarded them to our Associate. We are of the opinion that the claims directed to the third eye-lid test (Claims 1-2 and 6-10) may not need to be amended if we provide the Examiner with good arguments regarding the novelty of the claims.

Please be advised that the Examiner will probably raise a lack of unity of the invention.

Mrs. Margaret Connor
USDA, ARS, OTT
December 18, 2001
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If you should have any questions or require any additional information, please do not hesitate to contact us. Thank you for allowing us to be of assistance.

Very truly yours,

Evelyn A. Defilló

EAD/blh
Attachment

cc: Dr. Rick Brenner @ USDA (08,950,271)
Jim Deringer @ Washington State University Research Foundation

100-18526-032808

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EXPRESS MAIL CERTIFICATE

"EXPRESS MAIL" MAILING LABEL NUMBER: **EL568148065US**

DATE OF DEPOSIT: **December 18, 2001**

I HEREBY CERTIFY that the foregoing cover letter including the English Language International Application with European Search Report, Preliminary Amendment, two (2) sheets of formal drawings, payment of fee, and a stamped receipt post card are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated and is addressed: **ATTN: Box PCT, Commissioner of Patents and Trademarks, Washington, D.C. 20231.**

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 16-0877.



Bonnie L. Horst

100-18623-022606